

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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THE UNITED STATES OF AMERICA,

Plaintiff,

v.

ERIC J. PARKER, et al.,

Defendants.

Case No. 2:16-cr-00046-GMN-PAL

ORDER

(Mot for Group Visits – ECF No. 1497)

Before the court is Defendant's Motion for Group, Open-Air Contact Legal Visits at the Henderson Detention Center (ECF No. 1497).

The motion requests an order allowing Defendants Eric Parker, Steven Stewart and O. Scott Drexler and their counsel to have "group, open-air legal contact visits at the Henderson Detention Center subject to the facility's availability." The motion states that the Henderson Detention Center ("HDC") facilities are inadequate for group defense meetings because the room is small and the lawyers and inmates are separated by glass partitions which prevents counsel from showing defendants electronic discovery on laptop computers within the room, and too small to allow six participants in one room. Finally, the motion states that HPD authorities "are typically very accommodating with this request as long as there is availability for such a visit at the time of the proposed visit."

The motion does not state whether counsel has discussed this request with the USMS and/or appropriate staff at the HDC, or indicate that an order is required with HDC staff who are described as "very accommodating." It does not discuss the trial schedule, when group meetings are requested given the trial schedule, the amount of time requested for group meetings, or the frequency of the requested group meetings. In short, the motion is insufficiently specific for the court to assess the reasonableness of the request or any institutional concerns HDC and/or the

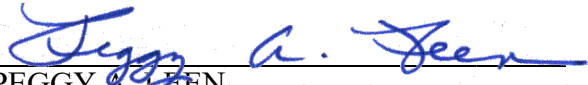
1 USMS may have with the request. The court requested input from the USMS and was advised
2 that a group meeting was facilitated last Sunday, February 2, 2017. However, only two defense
3 counsel attended, although a number of investigators attended. On more than one occasion the
4 court has directed counsel to confer with the USMS and detention facility staff before filing a
5 motion.

6 Having reviewed and considered the matter,

7 **IT IS ORDERED** that:

- 8 1. The Motion for Group, Open-Air Contact Legal Visits at the Henderson Detention
9 Center (ECF No. 1497) is **DENIED without prejudice**.
- 10 2. Counsel shall confer with the authorities at the HDC and USMS to determine whether
11 a mutually acceptable arrangement can be reached before filing a motion with the court.
- 12 3. In the event the counsel for defendants and USMS/HDC staff are unable to agree on a
13 mutually acceptable arrangement, counsel may refile the motion providing the
14 information the court needs to assess the reasonableness of the request as described in
15 this order, and detailing the efforts made to resolve this request without further court
16 intervention.

17 DATED this 10th day of February, 2017.

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20 PEGGY A. TEEN
21 UNITED STATES MAGISTRATE JUDGE
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